

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
APRIL 25, 2001

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the REGULAR meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, April 25, 2001, at 7:30 p.m.**, in the Legislative Room, 100 North Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order.

Invocation .

Pledge of Allegiance to the Flag.

Opening Roll Call:

Present: Antonneau, Bunker, Krueger, Hansen, Zima, Queoff, Vanden Plas, Collins, Clancy, Fleck, Watermolen, Schadewald, Schmitz, Schmitt, Haefs, Kaye, Bicoy, Johnson, Kuehn, Marquardt, Schillinger, Moynihan, Simons, Williquette

Total Present: 24

****PRESENTATION BY MILLENNIUM ARCHITECTS****
QUESTION & ANSWER TIME FOLLOWING PRESENTATION

No. 1 -- Adoption of Agenda.

A motion was made by Supervisor Krueger and seconded by Supervisor Hansen to approve the agenda as amended. Vote taken. Motion carried unanimously with no abstentions.

No. 1a -- #10c -- INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED ~~\$39,700,000~~ \$39,000,000 GENERAL OBLIGATION MENTAL HEALTH CENTER FACILITY BONDS OF BROWN COUNTY, WISCONSIN

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

BE IT RESOLVED by the County Board of Supervisors of Brown County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Bonds in an amount not to exceed ~~\$39,700,000~~ \$39,000,000 for the purpose of paying the cost of constructing and equipping a new mental health center facility (the "Project"); said bonds to be issued in one or more series of bonds as funds are needed to pay costs of the Project.

FURTHERMORE, the County Board authorizes that an independent study be done in conjunction with the next steps in proceeding with the project, and that such study will be done in 60 days or such manner for the County Board to implement recommendations and/or findings.
(Amended by County Board by adding paragraph #2 on 4/25/01.)

BE IT FURTHER RESOLVED, by the Board of Supervisors of Brown County, Wisconsin, that change orders in excess of \$50,000 for such construction shall be submitted to the appropriate oversight committee of the Board of Supervisors of Brown County for prior approval.

Respectfully submitted,
HUMAN SERVICES COMMITTEE
EXECUTIVE COMMITTEE

**QUESTIONS AND ANSWERS FOR THE COUNTY BOARD ON THE
PROPOSED MENTAL HEALTH CENTER FOR BROWN COUNTY**

- Q. 1) Aren't we building it too small? We're a growing county and shouldn't we build it bigger to plan ahead for growth?
- A. 1) The State controls the number of licensed beds for the nursing home; intermediate care facility for the mentally retarded (ICF-MR); and the psychiatric hospital. No more beds are available. We would build to our license capacity for the nursing home and ICF-MR because we have current and future demand for that. For the psychiatric hospital we are building under our licensed capacity (75), since we haven't used that many beds in decades; if ever. For the psychiatric hospital we're building a few beds bigger than current usage; plus the design of it allows us to double up in rooms when temporarily crowded.
- Q. 2) What happened with the idea of Bellin Psychiatric running the county psychiatric hospital program?
- A. 2) Bellin's inpatient rate was higher than the county's at \$550 per day versus \$360 for the county, making a change not financially advantageous to the county.

Also, the psychiatric hospital in the new center will pay for itself over the length of the State allowed building depreciation, thus not having a bottom line impact on the levy cost of the project. Psychiatric care is the most lucrative of the three Mental Health Center licenses; it is most difficult to receive similar care elsewhere.

The nursing home and ICF-MR will receive higher Medical Assistance funding in a new building, but there will still be levy costs because they are more dependent on that single revenue.

Q. 3) How come some counties don't have to provide these types of care for their residents?

A. 3) In Wisconsin all counties are obligated to purchase, provide or otherwise arrange services for people under state statute Chapters 55, 880 (adult protective services); and Chapter 51 (mental health, alcohol or drug abuse, developmental disabilities). The county is the bottom line for finding programs and living arrangements for county residents whose behavior or needs don't succeed in other settings.

Smaller counties purchase these services from private agencies or other counties, depending on the service. For example, Brown County is a regional center selling psychiatric inpatient care from the Upper Peninsula, down the lakeshore, across through Outagamie, Shawano, Waupaca, etc. We use their payments to offset our costs, which is part of why our rate for this care is less than Bellin's.

Nineteen counties operate ICF/MR programs; fifty operate nursing homes. Each varies slightly from area to area, depending on what other programs and resources are available to take the "public" type of patient.

Brown County's number of nursing home beds and ICF beds is modest for a county its size. (Please see the Wisconsin Association of County Homes study contained within the Human Services Board's study of the Mental Health Center.)

Q. 4) Why does the new Mental Health Center cost so much?

A. 4) The estimated construction costs per square foot for the building look quite average for comparable health care settings. Hospital/nursing homes are built to a higher quality per the State's building code and Division of Health standards.

The cost of \$39.7 million is for a total package cost; the building itself is \$30,567,587. The difference is site preparation; furnishings and fixtures; design costs; contingencies and change orders; etc.

Waukesha County built a new psychiatric hospital in 1993, at roughly \$130 a square foot.

Creekview Nursing Home in Oshkosh added a dementia center in 1997, for \$133 a square foot.

Outagamie County is building a nursing home and ICF/MR with total project costs of \$154 a square foot, in 2001 dollars.

Dane County's new courthouse will be \$43 million for 216,000 square feet.

The Brown County Mental Health Center's proposed building is 231,000 square feet, with an estimated building cost of \$30.5 million at \$132 a square foot; \$171 a square foot total project cost, in 2003 dollars.

Q. 5) If we quit doing psychiatric inpatient care it would make the new building smaller, saving us money, right?

A. 5) Inpatient care is the most lucrative portion of this project for the county. The hospital will pay for itself over the depreciable life of the building. Cutting out inpatient care reduces square footage, but it eliminates the best revenue source. It also requires the remaining two programs to absorb the building overhead, which increases levy costs.

Additionally, sending people who need that type of care elsewhere will be more expensive than what it currently costs taxpayers.

Q. 6) I don't want to vote for this right now because I just can't vote for another big project. What happens if I don't?

A. 6) All the necessary information has been provided to the Board to make a decision. If you choose to not go forth it is certainly your decision to make.

Human Services will forward through future annual budgets capital outlay requests to try to address some of the building deficiencies. This will be in areas like storm windows, security windows; kitchen remodeling; patient call lights, etc. We'll make requests each year to deal with the worst problems.

Q. 7) If we don't approve a new Mental Health Center, what's the impact on the County Budget?

A. 7) A new building's costs are applied to the county's capital portion of your levy limits, and have no bearing on the ongoing problems with the operations budget.

Continuing to remodel or repair will put costs on the operations portion of the county budget, where the county is currently most pressed.

A motion was made by Supervisor Kuehn and seconded by Supervisor Collins to adopt.

Supervisor Williquette spoke at length in support of the Mental Health Center.

A motion was made by Supervisor Schillinger and seconded by Supervisor Johnson to suspend the rules to allow interested parties to address the board. Vote taken. Motion carried unanimously to suspend the rules.

Speaking in favor of the new Mental Health Center were:

Vincent L. Zehren, 561 St. Marys Boulevard, Green Bay, WI.

Glenn Francken, 1794 Garnet Ct., Menasha, WI.

Maxine Riemer, 1159 Packerland Drive, #6, Green Bay, WI.

Susan B. Campbell, 1032 Clement Street, #1, Green Bay, WI.

Rev. Conrad Kratz, St. Joseph Priory, De Pere, WI.

Earlene Ronk, 2763 Bay Settlement, Green Bay, WI.

Speaking in opposition to the new Mental Health Center was:

Dave Johnson, 724 Park St., Green Bay, WI.

A motion was made by Supervisor Schmitz and seconded by Supervisor Moynihan to return to the regular order of business. Vote taken. Motion carried unanimously with no abstentions.

A motion was made by Supervisor Haefs and seconded by Supervisor Antonneau to make an amendment to resolution #10c by inserting \$37,700,000 in place of \$39,700,000, in the resolution.

Supervisor Schadewald asked for clarification from staff. Human Services Director, Mr. Quam, explained why he cannot support Supervisor Haef's amendment.

Mark Keckeisen explained how the contingency part of the project planned for.

Former Finance Director, Pat Webb, explained that tonight's vote is clearly to support the final figure for bonding.

Supervisor Schillinger questioned Supervisor Haef's amendment adding, he cannot support this amendment. Supervisor Schillinger said he would support another independent expert to look at the numbers and look at the project. That would give us a better idea than just pulling the numbers out of the air.

Supervisor Collins explained Mark Keckeisen has been an excellent project manager, especially with the jail. That project is coming in under budget, proving Mr. Keckeisen doesn't just spend money because it's there. Supervisor Collins asked bonding questions of Pat Webb. In summary, Supervisor Collins said he could not support Supervisor Haefs amendment.

Supervisor Krueger said he cannot support this motion. He went on to say the track record of Mark Keckeisen's building projects has been good.

Supervisor Bunker reported that all Supervisors will have input in the future of the project when bids are discussed and reviewed. She cannot support this amendment.

Supervisor Haefs said he offered this as a way to limit cost.

Vote taken on Supervisor Haefs amendment. Roll Call #10c(1):

Ayes: Antonneau, Hansen, Zima, Haefs, Kaye, Simons

Nays: Bunker, Krueger, Queoff, Vanden Plas, Collins, Clancy, Fleck, Watermolen, Schadewald, Schmitz, Schmitt, Bicoy, Johnson, Kuehn, Marquardt, Schillinger, Moynihan, Williquette

Total Ayes: 6 Total Nays: 18

Motion defeated.

Supervisor Schillinger made an amendment, seconded by Supervisor Schmitt, by creating a new second paragraph that reads as follows: "Furthermore, the County Board authorizes that an independent study be done in conjunction with the next steps in proceeding with the project, and that such study will be done in 60 days or such manner for the County Board to implement recommendations and/or findings."

Supervisor Schmitt, Supervisor Collins, Supervisor Kaye, and Supervisor Bunker spoke in favor of the amendment.

Supervisor Haefs questioned if a good analysis can be done for the allocated amount for the study.

Supervisor Schillinger said there is no price tag associated with this study. This is to look at our present costs to see if these are reasonable figures; adding, this is an independent analysis.

Supervisor Zima is asking for separation of this amendment from the bonding issue.

Supervisor Krueger spoke on his respect for the project manager.

Supervisor Bicoy spoke on many questions he has asked and received answers for. He supports

Supervisor Schillinger's amendment. He likens this amendment to an audit. This is not a criticism of the Committee; only smart business.

Supervisor Johnson said it was she that originally submitted this amendment and she supports it. She said this is not a sign of disrespect to the Committee, saying this amendment will let experts give an unbiased opinion.

Supervisor Simons questioned Corporation Counsel if this requires a $\frac{3}{4}$ vote with this amendment and the answer given was yes.

Supervisor Queoff still believes we should guarantee that the consultant be from outside the County. This would give the County Board the unbiased report it is seeking.

Supervisor Marquardt stated that C.C.S. is from Chicago, out of County, not local. Also, the committee reviewed several options for a new Mental Health Center, analyzing which would serve all phases. The Committee came up with this as the best plan.

Supervisor Collins said he is willing to do another study. He feels the committee looked at all aspects and designs and costs. He supports Supervisor Schillinger's amendment.

A vote was taken on Supervisor Schillinger's amendment. Roll Call #10c(2):

Ayes: Antonneau, Bunker, Krueger, Hansen, Zima, Queoff, Vanden Plas, Collins, Clancy, Fleck, Watermolen, Schadewald, Schmitz, Schmitt, Haefs, Kaye, Bicoy, Johnson, Kuehn, Schillinger, Moynihan, Simons, Williquette

Nays: Marquardt

Total Ayes: 23 Total Nays: 1

Motion carried to amend.

A motion was made by Supervisor Zima to separate the study from the bonding issue. He feels the cost per bed is out of sight. He went on to say we must decide how much we want to spend to solve the problems.

Supervisor Schillinger spoke against separation. He went on to say this is only a ploy by Mr. Zima to delay the new Mental Health Center, explaining it's important not to lose time on this project. Each month of delay costs the County between \$130,000 and \$140,000.

Supervisor Krueger stated this is a decent proposal. He doesn't like the feeling of non-trust. He remarked that this County Board should move on and get this project underway.

Ken Bukowski, Corporation Counsel for Brown County, clarified his earlier statement, saying that this motion (by Supervisor Zima) is not debatable.

Supervisor Schmitz stated it is still important to do the study, regardless if the vote on bonding fails.

Vote taken on separation, by taking amendment out of resolution. Roll Call #10c(3):

Ayes: Antonneau, Zima, Vanden Plas, Clancy, Schadewald, Schmitz, Haefs, Kaye, Marquardt, Simons

Nays: Bunker, Krueger, Hansen, Queoff, Collins, Fleck, Watermolen, Schmitt, Bicoy, Johnson, Kuehn, Schillinger, Moynihan, Williquette

Total Ayes: 10 Total Nays: 14

Motion defeated on separation of issues.

Back to original motion.

A motion was made by Supervisor Schadewald and seconded by Supervisor Williquette to amend the resolution in the first paragraph by changing \$39,700,000 to \$39,000,000.

Supervisor Schadewald's reason for motion is we have to be able to go with information that was presented. We presently have \$700,000 is in the bank. We set limits; we will work with amount we set; the \$39,000,000 is sufficient because of the \$700,000 in the bank.

Vote taken on Supervisor Schadewald's amendment. Roll Call #10c(4):

Ayes: Antonneau, Bunker, Krueger, Hansen, Zima, Queoff, Vanden Plas, Collins, Clancy, Fleck, Watermolen, Schadewald, Schmitz, Schmitt, Haefs, Kaye, Bicoy, Johnson, Marquardt, Schillinger, Moynihan, Simons, Williquette

Nays: Kuehn

Total Ayes: 23 Total Nays: 1

Motion carried to amend the amount for bonding.

Supervisor Zima spoke on the main motion, explaining he is in favor of reducing costs of the facility. He stated repairs should be made to the present facility. He urged the County Supervisors to vote no. At this time Supervisor Zima made a motion, seconded by Supervisor Simons to table item #10c until the May County Board meeting. He went on to say the other design and cost options could be presented at that time.

Vote taken on table. Roll Call #10c(5):

Ayes: Zima, Haefs, Simons

Nays: Antonneau, Bunker, Krueger, Hansen, Queoff, Vanden Plas, Collins, Clancy, Fleck, Watermolen, Schadewald, Schmitz, Schmitt, Kaye, Bicoy, Johnson, Kuehn, Marquardt, Schillinger, Moynihan, Williquette

Total Ayes: 3 Total Nays: 21

Motion defeated.

Supervisor Collins said Supervisor Zima is only trying to delay the vote. He continued by saying, Supervisor Zima is only trying to confuse the supervisors, to try to defeat this resolution. Supervisor Collins urged Supervisors not to support Mr. Zima.

Supervisor Moynihan said we are asked to prioritize our needs. He said we have a moral obligation to the people of Brown County and urged approval.

Supervisor Simons stated the costs presented are extravagant. It is his opinion that a lot of money is being spent on a building, and he suggests we should revisit the entire issue. He feels the code violations are a scare tactic. Supervisor Simons continued, saying the cost of the proposed Mental Health Center is too much for the Brown County taxpayers to pay.

Mark Quam, Human Services Director, clarified the vote is a Project Bonding, which is applied to the capital portion of the bonding. It is not budgeted in the day-to-day options budget.

Supervisor Schmitt explained we have not chosen the most expensive option. The design the committee chose is one the patients deserve. He urged Supervisors to support the resolution.

Supervisor Bunker spoke on an insensitive remark made by a County Board Member. This remark was very degrading to patients of the Mental Health Center. She went on to say this project has been well thought out, however, changes can still be made. Supervisor Bunker asked Supervisors to please support the Resolution.

Supervisor Clancy said this Board has been involved in making plans for the new Mental Health Center for many years. The Committee has asked for community involvement all along. He thanked everyone for all they have done. This has been put aside for too many years but now we must go forward. He urged a positive vote.

Supervisor Krueger feels the state of the art design presented will bring hope and dignity to families and give them a better life.

Supervisor Marquardt said this new building is about respect. We owe this to the patients. This design puts respect back into the lives of the patients and their families.

Supervisor Schillinger spoke on the past support of the new jail. He stated the approximate cost per bed in the new jail is \$150,000, reminding Supervisors this is for people who break laws and we are mandated to spend money on them. These costs for the Mental Health Center are for people who have not made the choice to be there. They have illnesses and are unable to take care of themselves. He asked support for these resolutions.

Supervisor Zima asked what percent of capital cost will be reimbursed for the new center. Mr. Quam gave dollar amount but wasn't sure of the percentage. Reimbursement is based on "per level of care" not percentage basis or flat fee. Supervisor Zima asked Supervisors to vote no.

Supervisor Haefs explained why he cannot support this project. He went on to say it is our right to question the facts. He hopes this goes back to Human Services Committee to redirect and reorganize to look at new designs and new alternatives.

Supervisor Williquette questioned Mark Quam regarding Supervisor Zima's argument. She clarified that our Mental Health Center operates with more licenses than the facilities Supervisor Zima was using as an example.

Supervisor Collins urged County Board to go forward.

Supervisor Schadewald said this is a question of your soul. This is a critical vote. He explained that tonight's vote is "do you want to move forward or do you want to remodel." He asked Supervisors to please be certain of their vote.

Supervisor Simons feels we should remodel until we can explore Plan B.

Supervisor Marquardt quoted building costs for other similar facilities pointing out that Brown County's estimated figures are not out of line.

Chairperson Watermolen thanked the Human Services Committee for all its hard work. He also thanked the County Board for the debate. He encouraged the Board to vote with their hearts and on the issue.

Vote taken on Supervisor Schillinger's resolution. Roll Call #10c(6):

Ayes: Antonneau, Bunker, Krueger, Hansen, Collins, Clancy, Fleck, Watermolen, Schadewald, Schmitz, Schmitt, Kaye, Bicoy, Johnson, Kuehn, Marquardt, Schillinger, Moynihan, Williquette

Nays: Zima, Queoff, Vanden Plas, Haefs, Simons

Total Ayes: 19 Total Nays: 5

Motion carried.

At this point, Human Services Director, Mark Quam, thanked the County Board for its positive vote. He assured them they did the right thing for the residents, staff and future of the Mental Health Center.

Approved by: \s\ Nancy J. Nusbaum, County Executive

Date: 5/9/2001

No. 1b -- **#10e -- AUTHORIZING SUBMISSION OF THE CDBG-ED APPLICATION
(AG ENVIRONMENTAL SOLUTIONS, LLC) RELATING TO BROWN
COUNTY'S PARTICIPATION IN THE WISCONSIN COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, Federal monies are available under the Community Development Block Grant Program, administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development; and

WHEREAS, after public meeting and due consideration, the Brown County Planning, Development, and Transportation Committee has recommended that an application be submitted to the State of Wisconsin for the following economic development project:

A loan not to exceed \$403,000.00 to Ag Environmental Solutions, LLC, for business development and job creation in the Town of Wrightstown, Brown County, Wisconsin.

WHEREAS, it is necessary that the County Board of Supervisors approve the preparation and filing of an application for Brown County to receive funds from this program; and

WHEREAS, the County Board of Supervisors has reviewed the need for the proposed project and the benefits to be gained there from.

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors does hereby approve and authorize the preparation and filing of an application for the above-named economic development project.

BE IT FURTHER RESOLVED, that authority is hereby granted to the County Executive to take the necessary steps to prepare and file the appropriate applications for funds under this program in accordance with this resolution and to execute any required documents on behalf of Brown County.

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Antonneau and seconded by Supervisor Clancy to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive

Date: 5/9/2001

No. 2 -- Approval of minutes of County Board Meeting of March 21, 2001.

A motion was made by Supervisor Antonneau and seconded by Supervisor Kaye to adopt the minutes. Vote taken. Motion carried unanimously with no abstentions.

No. 3 -- Announcements of Supervisors.

Supervisor Schmitt discussed the Lambeau Field Bonding which came out today. He said this should create a \$62 million savings to taxpayers.

Supervisor Schillinger reported on the Bench Mark Study conducted by the Bay Area Community Council. With almost 80% of the people responding to the study, they rated government in Brown County very positively.

Supervisor Queoff recognized Nancy Anderson and Jeane Buzzell, both County Board secretaries, thanking them for the valuable services they provide to the County Board.

No. 4 -- Communications.

No. 4a -- Communication from Senator Dave Hansen regarding Support for a fair reimbursement rate to help counties cover the costs associated with housing of those who violate their probation and parole responsibilities.

Receive and place on file.

No. 4b -- Communication from Tom Hutchison regarding Brown County Mental Health Center.

Receive and place on file.

No. 5 -- Late Communications.

No. 5a -- Communication from Supervisor Schmitt regarding a resolution for the sole purpose of developing a Facilities Master Plan.

Refer to Administration Committee.

No. 5b -- Communication from Supervisor Moynihan requesting consideration to members of the Brown County Board of Supervisors that the regular meeting of the Brown County Board of Supervisors be held the third Wednesday of each month commencing at 6:30 p.m.

Refer to Executive Committee.

No. 6 -- Appointments by County Executive.

A motion was made by Supervisor Haefs and seconded by Supervisor Krueger to approve all appointments, 6a thru 6e, in one vote. Vote taken. Motion carried unanimously with no abstentions.

A motion was made by supervisor Hansen and seconded by Supervisor Antonneau to confirm 6a thru 6e. Vote taken. Motion carried unanimously with no abstentions.

No. 6a -- Reappointment of Tori Lynne Kleuss and Sara Ramaker to Ethics Board.

No. 6b -- County Executive appointment/confirmation of Brendan Bruss as Finance Director for Brown County.

No. 6c -- Appointment of Yvonne Horton and Rich Carman and reappointment of Tom Cioni to Human Services Board.

No. 6d -- Reappointment of Greg Little to Board of Adjustment.
No. 6e -- Reappointment of Harold Kaye, Steve Servais, Tom Madigan and Mary Remiker to Emergency Medical Services Council.

No. 7a -- Report by County Executive. No report.

No. 7b -- Report by Board Chairman.

Board Chair Watermolen reported he intends to interview candidates for the Internal Auditor position in early May. Eight applications were received for that position.

No. 8a -- Treasurer's Financial Report for the Month ending December 31, 2000.

BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR THE MONTH OF
DECEMBER

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account of the Brown County Treasurer as of DECEMBER 31, 2000:

Associated Bank	\$ 12,195,967.72
Wisconsin Development Fund	0.00
Sweep Account (Repurchase Agreements)	10,294.53
Deposits in Transit	13,964,716.60
Emergency Fund	(118,627.62)
Non-sufficient Fund Checks Redeposited	9,957.88
Transfer to WI Develop Fund	0.00
Deposit Adjustment	2,215.90
Bank Error(s)	0.00
Total	<u>26,064,525.01</u>
Less Outstanding Checks	(2,934,508.97)
Other Reconcilable Items	<u>(1,664.20)</u>
Balance Per Cash Book	\$ 23,128,351.84

Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of December 31, 2000:

Year-to-Date Interest Received – Prior Month	\$ 5,708,867.33
Interest Received – Current Month	<u>320,680.29</u>
Year-to-Date Interest Received	6,029,547.62
 Working Capital Reserves Invested	 \$ 75,352,671.19
Restricted Investments	<u>15,860,362.74</u>
Total funds invested	\$ 91,213,033.93

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of December 31, 2000 and the statement of Investments for the month of December have been compared and examined, and found to be correct.

\s\ Kerry M. Blaney
County Treasurer

A motion was made by Supervisor Schmitt and seconded by Supervisor Clancy to approve the report. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 5/9/2001

No. 9 -- Standing Committee Reports.

No. 9a -- REPORT OF ADMINISTRATION COMMITTEE OF APRIL 5, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on April 5, 2001, and recommends the following motions:

1. Review minutes of:
 - a. Housing Authority (February 26, 2001).
Receive and place on file.
2. Administration Division 2000 – 2001 Carryover Funds. Approve.
3. Request for Budget Transfer: Interdepartmental Transfer (including contingency or general fund transfer): Purchase computer equipment out of approved tobacco control grant money (From other state grant revenues \$1,879 to Chargebacks \$1,879.) (Referred from Human Services Committee.) Approve.
4. Request for Budget Transfer: Interdepartmental Transfer (including contingency or general fund transfer): Transfer \$75 from general fund for dues to Resource Conservation and Development (RC&D) Association (expense account: dues & memberships). (Referred from Land Conservation Subcommittee.) Approve.
5. Information Services – Director’s report. No action.
6. Human Resources – Monthly Committee Report (March 2001). Receive and place on file.
7. Human Resources – Recommendation re: Reorganization of Finance and Information Services Departments. Approve.
8. Human Resources – Analysis of 2001 Hiring Freeze Savings through March 31, 2001. Receive and place on file.
9. Human Resources Director’s report. No action.
10. Corporation Counsel – Resolution re: Disallowance of Claim (Maynard Van Leishout). Committee approved. See Resolutions, Ordinances April County Board agenda.

11. Communication from Rick Schadewald to Corporation Counsel re: Explanation of Ordinance #2.15. No action.
12. Facility Management – Monthly Activity Report. Receive and place on file.
13. Facility Management – Jail Progress Report. Receive and place on file.
14. Facility Management – 2000 Records Management Report. Receive and place on file.
15. Finance Department – Confirmation by County Executive of Brendan Bruss as Finance Director. Committee approved. See Appointments April County Board agenda.
16. Finance Department – 2000 Budget Transfer Log. Approve.
17. Finance Department – Monthly Activities Report (January 22 through February 26, 2001). (Held from previous meeting.) Receive and place on file.
18. Finance Department – Monthly Activities Report (February 27 through March 16, 2001). Receive and place on file.
19. Finance Department – Asset Maintenance Fund Requests. Approve.
20. Treasurer's Financial Report for the month of December. Receive and place on file.
21. Treasurer – Request to transfer Tax Deed Property (contaminated) to the City of De Pere, parcel #WD-145. Contingent DNR approval of intended use. Approve.
22. Treasurer – Request to transfer Tax Deed Property to the City of De Pere, parcel #WD-103. Pending DNR approval of intended use as parking lot. Approve.
23. Treasurer – Request to transfer Tax Deed Property to the City of De Pere, ED-1395 (vacant land). Approve.
24. Audit of bills. Pay the bills.

A motion was made by Supervisor Kuehn and seconded by Supervisor Queoff to adopt. Vote taken. Supervisors Haefs and Zima abstained from item #1 of this report. Motion carried.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 5/9/2001

No. 9b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF MARCH 22, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION AND RECREATION COMMITTEE met in regular session on March 21, 2001, and recommends the following motions:

1. Review minutes of:
 - a) Neville Public Museum Governing Board (2/14/01). Receive and place on file.
2. Education, Culture and Recreation Division 2000 to 2001 Carryover Funds. Approve.
3. Arena/Expo Centre – Attendance Report (February 2001). Receive and place on file.
4. Museum – Visitor Count (February 2001). Receive and place on file.
5. Museum – Fourth Quarter 2000 Objective Monitoring Report. Receive and place on file.
6. Museum Director's report. Accept.

7. Library – Fourth Quarter 2000 Objective Monitoring Report. Receive and place on file.
8. Library Director's report. Accept.
9. Golf Course – Fourth Quarter 2000 Objective Monitoring Report. Accept.
10. Golf Course – Request from American Public Works Association (APWA) for golf outing on Wednesday, May 23, 2001. Approve.
11. Golf Course – Superintendent's Report. Receive.
12. Parks – Request for use of the Ball Diamond at Bay Shore Park – Dykesville Lions Youth Baseball Program. Approve subject to conditions set forth by Mr. Mc Farlane.
13. Parks – Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: \$1,341 donation from Sunnyside School for purchase of an ostrich at the zoo. Approve.
14. Parks – Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenues: \$1,000 donation from Mary Ann Fleury for zoo educational graphics. Approve.
15. Parks – Review and approve commercial signage policy for state recreational trails. Approve the policy.
16. Parks – Communication from James C. Dashner, Brown County Park Ranger, to Chair Dave Hansen re: Vacation Benefits. (Referred from February County Board.) Receive and place on file.
17. Parks – Fourth Quarter 2000 Objective Monitoring Report. Receive and place on file.
18. Parks Director's Report. No action.
19. Audit of Bills. Pay the bills.

A motion was made by Supervisor Hansen and seconded by Supervisor Kaye to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive

Date: 5/9/2001

No. 9c -- REPORT OF EXECUTIVE COMMITTEE OF APRIL 2, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on April 2, 2001, and recommends the following motions:

1. Review minutes of:
 - a. Legislative Subcommittee of March 5, 2001.
Receive and place on file.
2. Executive 2000 – 2001 Carryover Funds. Receive and place on file.
3. Resolution re: Support of Senator George's Bill on Tobacco Settlement Payments. Committee approved. See Resolutions, Ordinances April County Board.
4. Recommendation re: Reorganization of Finance and Information Services Departments. Approve pending approval by Administration Committee.

5. Communication from Supervisor Kathy Johnson re: Hiring a consultant to review the Mental Health Center Facility and make recommendations:
 - a) Request all questions from Board of Supervisors be submitted in writing to County Board Office by April 13, 2001; and that Executive Committee approve up to \$5,000 for an independent counsel to answer those questions not answered by staff. Motion withdrawn.
 - b) Hire an independent consultant to review the financial recommendations of building a new Mental Health facility with that recommendation coming back within 60 days, and not to exceed a cost of \$5,000. Ayes: 2(Kaye, Schillinger); Nays: 5(Schadewald, Bunker, Watermolen, Williquette, Hansen). Motion defeated.
6. Report on Mental Health Center (Bunker & Collins). No action.
7. Resolution re: Initial Resolution Authorizing the Issuance of not to Exceed \$39,700,000 General Obligation Mental Health Center Facility Bonds of Brown County, Wisconsin. (Referred from Human Services Committee.) Committee approved. See Resolutions, Ordinances April County Board agenda.
8. Discussion and action on design parameters for reapportionment. (Mike Parmentier, Senior Planner, Planning Department.)
 - a) Request three plans each using the numbers 24, 26 & 27. Ayes: 4(Bunker, Kaye, Schadewald, Watermolen); Nays: 3(Hansen, Schillinger, Williquette). Motion Carried.
 - b) Request two versions each using the numbers 24, 26 & 27 keeping Green Bay intact. Motion carried unanimously.
9. Discussion of professional grant writer. No action.
10. Review of Department Budgets:
 - a) Public Safety Committee (Supervisor Harold Kaye, Chair, Public Safety Committee.)
No action.
11. County Executive Report. Receive and place on file.
12. Legislative Report. (No report.)
13. Legislative Subcommittee Report. No action.
14. Update of Oneida Tribe of Indians negotiations for shared services. No action.
15. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85(1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82(1) of the Wisconsin State Statutes. (Deleted from agenda.)
16. **AFTER CLOSED SESSION:** Discussion and review of possible changes in job description for County Board's Internal Auditor position. (Volunteers from Executive Committee: Watermolen, Schillinger, Bunker, Kaye, Schadewald). No action.

A motion was made by Supervisor Bunker and seconded by Supervisor Schmitz to adopt.

A motion was made by Supervisor Haefs and seconded by Supervisor Moynihan to discuss item #8, a discussion on design parameters for reapportionment, using options with 24, 26 & 27 Supervisors; keeping Green Bay as is and obtain 2 versions of each plan.

Supervisor Haefs had questions on the number of plans for reapportionment. Supervisor Schillinger explained how plans for 24, 26 or 27 originated. Twenty-four supervisors would include 11 from City of Green Bay, 13 from County; 26 supervisors would include 12 City of Green Bay and 14 from County; and 27 supervisors would be 12 from City of Green Bay and 15 from County. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive

Date: 5/9/2001

No. 9d -- REPORT OF HUMAN SERVICES COMMITTEE OF MARCH 21, 2001

TO THE MEMBERS OF THE BROWN COUNTY

BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on March 21, 2001, and recommends the following motions:

1. Review minutes of:
 - a) Handicapped Children's Education Board (2/13/2001).
 - b) Homeless Issues & Affordable Housing Subcommittee (2/19/01).
 - c) Aging Resource Center – Finance Committee (2/23/01).
 - d) Aging Resource Center Board (2/23/01).
 - e) Community Options Program Appeals Committee (1/22/01 & 2/26/01).
 - f) Community Options Program Planning Committee (2/26/01).
 - g) Human Services Board (3/1/01).

Receive items a-g.
2. Appointment of Yvonne Horton and Rich Carman and reappointment of Tom Cioni to Human Services Board. Committee approved. See Appointments April County Board agenda.
3. Health & Human Services 2000 to 2001 Carryover Funds. Approved.
4. Communication from Trudey Peterson, Executive Director, Odd Fellow Rebekah Home Association, Inc. re: Support of new Brown County Mental Health Center. (Referred from February County Board.) Receive and place on file.
5. Presentation by Chair Lee Meyer re: Mission of Homeless Issues and Affordable Housing Subcommittee. Turn this report over to Mark Quam and his staff for analysis and response to each area, and have a report ready for the April meeting of this committee. Both of these reports can be used as input to the County Executive for next year's budget.
6. Aging Resource Center of Brown County – Fourth Quarter 2000 Objective Monitoring Report. Approve.
7. Aging Resource Center of Brown County – Budget review. (Continued from previous meeting.) No action.
8. Veteran's Department – Fourth Quarter 2000 Objective Monitoring Report. Approve.
9. Veteran's Department – Communication from Jerry Polus, Veteran's Department, re: Veteran's Emergency Fund. (As requested in previous meeting.) Receive and place on file.

- 10.** Health Department – Discussion of 2001-2002 License Fees. Go to an 80% fee funding level, allowing for some changes to be made in the services that are performed, to be effective with the July 1st licensing cycle.
- ** Item #10 referred back to Human Services Committee per the County Board on 4/25/01.
11. Health Department – Budget Review. (Held from April meeting.)
12. Health Department – Fourth Quarter 2000 Objective Monitoring Report. (Held until April meeting.)
13. Health Department – Request for Budget Transfer: Interdepartmental Transfer: Purchase computer equipment out of approved tobacco control grant money (From Other State Grant Revenue (\$1,879) to Chargebacks (\$1,879). (Held until April meeting.)
14. Health Department – Director’s Report. (Held until April meeting.)
15. Human Services Department – Fourth Quarter 2000 Objective Monitoring Report. Approve.
16. Human Services Department – Budget Review. No action.
17. Human Services Department – Update on Mental Health Center.
 - a) This committee goes on record realizing they have looked at privatization and after extensive review of the numbers, realize that it is not a viable alternative for Brown County; and that any further efforts of privatization would be futile at this time. This committee’s conclusion is that it is not in the best interest of Brown County to pursue it.
 - b) Based upon the results of the talks with Bellin, that has substantiated what this Board has said. This committee has done their research, have looked through everything that needs to be looked through; have started out with a large scale, cut it down to what this committee has determined, with the help of staff and professionals, that this is what is needed for the County. This committee fully supports that and feels there is no need for any additional study to be done.
18. Syble Hopp School – Second Quarter 2001 Objective Monitoring Report. (Held until April meeting.)
19. Audit of bills. Pay the bills.

A motion was made by Supervisor Clancy and seconded by Supervisor Fleck to adopt. Vote taken. Supervisor Haefs requested #10 be taken separately. Remainder of report passed unanimously with no abstentions.

Item #10 -- Health Department – Discussion of 2001-2002 License Fees. Committee agrees to “go to an 80% fee funding level, allowing for some changes to be made in the services that are performed, to be effective with the July 1st licensing cycle.

Supervisor Haefs said he cannot support item #10. He doesn’t feel small businesses can afford the number of inspections the County Health Department is presently performing. He explained why the charge of 80% is too much.

Supervisor Vanden Plas made a motion to refer this item back to committee for further study; and seconded by Supervisor Simons.

Supervisor Collins explained the rationale the committee used to arrive at 80% and urged the County Board members to go forward. Supervisor Collins said this is a fair chargeback.

A motion was made by Supervisor Vanden Plas and seconded by Supervisor Fleck to suspend the rules to allow interested persons to address the board. Vote taken. Motion carried unanimously with no abstentions.

Len Whipp, Davisters Bar, Town of Humboldt, spoke against the approval of this procedure.

A motion was made by Supervisor Kuehn and seconded by Supervisor Vanden Plas to return to the regular order of business. Vote taken. Motion carried unanimously with no abstentions.

Supervisor Krueger said more inspections don't hurt; they only help and protect the public.

Supervisor Zima urged a referral of item #10.

Judy Friederichs, Health Director, spoke on the need to educate businesses on diseases out there in the community.

Supervisor Bunker asked Health Director, Judy Friederichs, what implications this would have on the Health Department's budget and budget timeline.

Judy stated that this would mean that they need licenses out by the middle of May.

Supervisor Simons spoke on why this item should be referred.

Supervisor Vanden Plas explained many people were here to speak on this issue tonight but because the meeting has gone on so late (presently 11:30 p.m.), they left before this item was taken up. These people were here to speak on their opposition to the fee increase.

Supervisor Watermolen explained the factor of raising fees. He asked Judy Friederichs what this entailed. She replied the inspections of the type of food, how the food is being prepared, the volume of food, and risk handling factors. She said 2 months is too early to evaluate each business. This is an annual fee recommended by staff and approved by Committee.

Supervisor Marquardt explained the procedure her committee used to address these fees. She urged the County Board members not to refer.

Supervisor Collins feels users should be paying for this. Vote taken on referral. Roll Call #9d(1):

Ayes: Bunker, Zima, Queoff, Vanden Plas, Watermolen, Schadewald, Schmitt, Haefs, Kaye, Bicoy, Johnson, Schillinger, Moynihan, Simons

Nays: Antonneau, Krueger, Hansen, Collins, Clancy, Fleck, Schmitz, Kuehn, Marquardt, Williquette

Total Ayes: 14 Total Nays: 10

Motion to refer item #10 carried.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 5/9/2001

No. 9e -- REPORT OF HUMAN SERVICES COMMITTEE OF APRIL 25, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on April 25, 2001, and recommends the following motions:

1. Request for Budget Transfer: Interdepartmental Transfer: Purchase computer equipment out of approved tobacco control grant money. (From Other State Grant Revenue

{ \$1,879 } to Chargebacks { \$1,879 }). Held from previous meeting. (See Attached.)
Approve.

A motion was made by Supervisor Bunker and seconded by Supervisor Schillinger to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 5/9/2001

No. 9f -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE OF MARCH 28, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS
Ladies and Gentlemen:

The PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE met in regular session on March 28, 2001, and recommend the following motions:

Land Conservation Subcommittee

1. Letter re: Redesign of nonpoint program. Approve.
2. Wildlife Damage program update:
 - a) Deer Herd Status information meeting.
 - b) 2000 Wildlife Damage Program Objectives.
Receive and place on file.
3. Director's report. Receive and place on file.

Planning, Development and Transportation Committee

1. Review minutes of:
 - a) Planning Commission Board of Directors (2/7/01).
Receive and place on file.
2. Reappointment of Greg Little to Board of Adjustment. Committee approved. See Appointments April County Board agenda.
3. Planning & Development Division 2000 to 2001 Carryover Funds. Approve.
4. Transportation Division 2000 to 2001 Carryover Funds. Approve.
5. Airport – Resolution re: Petitioning the Secretary of Transportation for Airport Improvement Aid by County Board of Supervisors, Brown County, Wisconsin. Committee approved. See Resolutions, Ordinances April County Board agenda.
6. Zoning Department and Planning Commission – Discussion re: Non-Metallic Mining Reclamation Ordinance. No action.
7. Zoning – Approval of Agent status from Department of Commerce re: Private Onsite Waste Treatment System (POWTS). Approve.
8. Planning Commission – Resolution re: Authorizing Submission of the CDBG-ED Application (Ag Environmental Solutions, LLC) Relating to Brown County's

- Participation in the Wisconsin Community Development Block Grant Program. Committee approved. See Resolutions, Ordinances April County Board agenda.
9. Planning Commission – Communication from Supervisor Lucy Bunker re: Requesting Brown County to look at ways to replace the affordable housing that has been taken away due to construction, etc. in Brown County. (Referred from March County Board.) No action.
 10. Port & Solid Waste – Tri-County Recycle Intergovernmental Agreement. Hold for one month for study and request the Solid Waste Board to bring all of the costs forward, with a breakdown for examination. Ayes: 3(Williquette, Schmitz, Vanden Plas); Nays: 2(Bicoy, Antonneau). Motion Carried.
 11. Port & Solid Waste – Presentation by Consultant. No action.
 12. Port & Solid Waste – Resolution re: Household Hazardous Waste Grant. Committee approved. See Resolutions, Ordinances April County Board agenda.
 13. Port & Solid Waste Annual Report. Receive and place on file.
 14. Port & Solid Waste – Communication from Supervisor Ken Simons re: Instruct Chuck Larscheid to initiate provisions to begin construction of the Hollandtown landfill. (Referred from March County Board.) (Tabled until April 18th meeting.)
 15. Port & Solid Waste – Communication from Supervisor Ken Simons re: Requesting line-by-line review by the County board of all expenses incurred in conducting various feasibility studies regarding the intergovernmental recycling agreements. (Referred from March County Board.) (Table until April 18th meeting.)
 16. Port & Solid Waste Director's report. No action.
 17. Register of Deeds – Budget Review. No action.
 18. Audit of bills. Pay the bills.

A motion was made by Supervisor Vanden Plas and seconded by Supervisor Kaye to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive

Date: 5/9/2001

No. 9g -- REPORT OF PUBLIC SAFETY COMMITTEE OF APRIL 4, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on April 4, 2001, and recommends the following motions:

1. Review minutes of:
 - a) LEPC (3/13/01).Receive and place on file.

2. Public Safety Division 2000 to 2001 Carryover Funds. Approve all items.
3. Reappointment of Harold Kaye, Steve Servais, Tom Madigan and Mary Remiker to Emergency Medical Services Council. Committee approved. See Appointments April County board Agenda.
4. Circuit Courts – Memorandum from Judge J.D. Mc Kay re: Circuit Courts’ Printing and Copying Expenses. Receive and place on file.
5. District Attorney – Communication re: Space Needs in the District Attorney’s Office. No action.
6. Clerk of Courts County Forfeiture Collections. Receive and place on file.
7. Public Safety Communications Department – Director’s Report. Receive and place on file.
8. Medical Examiner – Fourth Quarter 2000 Objective Monitoring Report. (Held from previous meeting.) Receive and place on file.
9. Medical Examiner Budget Review. (Held from previous meeting.) Receive and place on file.
10. Facility Management – Jail Project Status Report. No action.
11. Facility Management – Jail Progress Report. Receive and place on file.
12. Sheriff – Huber update. Refer to staff to prepare a resolution outlining their future intentions to use the existing jail as a Huber Facility using as minimal amount of money as necessary to meet state codes and to proceed with plans to build a Huber Facility at the Mental Health Center site of the new jail.
13. Sheriff – Jail Population & Overtime Report. Receive and place on file.
14. Sheriff – Title Wage Change – Nurses positions for new jail (Melanie Falk, Human Resources). Approve.
15. Sheriff’s report. Receive and place on file.
16. **Closed Session:** Pursuant to Section 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation date of a public employee over which the Committee has jurisdiction or exercises responsibility.
 - a) Go into closed session.
 - b) Return to open session.
 - c) No action taken.
17. Audit of bills. Pay the bills.

A motion was made by Supervisor Kaye and seconded by Supervisor Simons to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive

Date: 5/9/2001

No. 9h -- REPORT OF SPECIAL PUBLIC SAFETY COMMITTEE OF APRIL 11, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in **special** session on April 11, 2001, and recommends the following motions:

1. Approval of grant fund application by Sheriff. Approve funding. Ayes: 2(Kaye & Moynihan, Jr.); Nays: 2(Bicoy & Schmitt); Excused: 1(Zima). Motion defeated.

A motion was made by Supervisor Kaye and seconded by Supervisor Moynihan to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 5/9/2001

No. 10 -- Resolutions, Ordinances

A motion was made by Supervisor Schadewald and seconded by Supervisor Moynihan to take all remaining resolutions in one vote. Vote taken. Motion carried unanimously to adopt Resolutions #10a, 10b, 10d, and 10f, with no abstentions.

No. 10a -- RESOLUTION REGARDING DISALLOWANCE OF CLAIM (MAYNARD VAN LEISHOUT)

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, a Notice of Claim was filed on February 21, 2001 in the Brown County Clerk's Office; and

WHEREAS, said Notice of Claim alleges that Maynard Van Leishout sustained damages, and alleges that said damages were caused by Brown County and employees of Brown County; and

WHEREAS, after a review of this matter by the Corporation Counsel's office, said office recommends that the claim be denied.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the claim submitted by Maynard VanLeishout, be and the same is hereby denied, and no action on this claim may be brought against Brown County or any of its officers, officials, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant, Maynard Van Leishout, as a notice of disallowance.

Respectfully submitted,
ADMINISTRATION COMMITTEE

Approved by: \s\ Nancy J. Nusbaum, County Executive

Date: 5/9/2001

No. 10b -- SUPPORT OF SENATOR GEORGE'S BILL ON TOBACCO SETTLEMENT PAYMENTS

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the State of Wisconsin will receive settlement payments as part of the Attorney General's Master Tobacco Settlement; and

WHEREAS, currently the distribution of settlement payments has a portion deposited into the state tobacco control fund and the remaining payments deposited into the state's general fund; and

WHEREAS, the Wisconsin Counties Association is currently involved in litigation to secure funds on behalf of counties for costs associated with smoking and currently is not receiving any financial assistance from the tobacco settlement for their costs; and

WHEREAS, Senator Gary George has drafted legislation that would set aside 50% of the tobacco settlement payments for payments to counties for costs of treating tobacco-related illnesses and costs of providing health care benefits to County employees and their dependents; and

WHEREAS, this legislation would equally share and compensate counties and would avoid costly litigation.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors support Senator George's legislative proposal on the distribution of tobacco settlement payments and ask state legislators who represent Brown County to co-sponsor and support passage of this proposal.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to area state legislators and the Governor of Wisconsin.

Respectfully submitted,
EXECUTIVE COMMITTEE

Approved by: \s\ Nancy J. Nusbaum, County Executive

Date: 5/9/2001

No. 10d -- **RESOLUTION REGARDING PETITIONING THE SECRETARY OF
TRANSPORTATION FOR AIRPORT IMPROVEMENT AID BY
COUNTY BOARD SUPERVISORS, BROWN COUNTY, WISCONSIN**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the said County of Brown, Brown County, Wisconsin, hereafter referred to as the Sponsor, being a municipal Body Corporate of the State of Wisconsin, is authorized by law (sec. 114.11, Wis. Stats.) to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport; and

WHEREAS, the Sponsor desires to develop or improve the Austin Straubel International Airport, Brown County, Wisconsin.

“PETITION FOR AIRPORT PROJECT”

WHEREAS, airport users have been consulted in formulation of the improvements included in this Resolution, and

WHEREAS, a public hearing was held prior to the adoption of this petition in accordance with Chapter 114.33(2) as amended, and a transcript of the hearing is transmitted with this petition, and

THEREFORE, BE IT RESOLVED, By the Sponsor that a petition for Federal and (or) State Aid in the following form is hereby approved:

The petitioner, desiring to sponsor an airport development project with Federal and/or State aid, in accordance with the applicable State and Federal laws, respectfully represents and states:

1. That the airport, which it is desired to develop, should generally conform to the requirements for a transport type airport as defined by the Federal Aviation Administration.
2. The character, extent, and kind of improvements desired under the project are as follows:
 - a. Passenger Boarding Bridges – Design, site preparation and installation of boarding bridges at passenger gates in the terminal concourses for passenger boarding of air carrier and charter aircraft;
 - b. Runway Weather Information Systems – Design and install pavement sensors and weather information systems on Runway 18/36 and Runway 6/24 to improve airfield deicing/anti-icing efficiency and safety;

- c. Snow Removal Equipment – Procure 2 high-speed brooms or plows to maintain adequate snow removal capabilities for the transport category airport;
- d. Airfield Perimeter Road Construction – Design and construct airfield perimeter road system from the east general aviation apron around the airfield landing surfaces to the west general aviation apron. This roadway system will provide greater ARFF access to the airfield and provide an internal route for ground vehicles to access remote parts of the airfield without entering runway safety areas, reducing potential for runway incursions;
- e. Relocate Main Airport Entrance – Design and construct relocation and upgrade of the main entrance roadway and intersection with STH 172, including disposition of frontage roads north and south of STH 172 and utilities. Upgrade and relocation of the roadway and intersection will improve traffic flow from STH 172 into the terminal area and reduce potential for queuing overflow onto STH 172 during peak traffic periods, improving safety;
- f. Runway 18 Instrument Landing System (ILS) – Design and installation of an instrument landing system for Runway 18. Installation of an ILS on this runway is a noise mitigation measure identified as part of the 1993 FAR Part 150 Noise Compatibility Program for the airport;
- g. Pave Shoulders on Runways – Design and construct paved shoulders on the runways to provide resistance to erosion from jet and propeller blast, accommodate the passage of maintenance and emergency ground vehicles without rutting of areas adjacent to the runway;
- h. Rehabilitate Runway Edge Lighting System – Design and installation of new cable and fixtures on the runway edge lighting system for both runways. Rehabilitation will improve reliability and efficiency of 29 year old system;

clear runway approaches; and any other necessary work.

3. That the airport project, which your petitioner desires to sponsor, is necessary for the following reasons: to meet the existing and future needs of the airport.

WHEREAS, it is recognized that the improvements petitioned for as listed will be funded individually or collectively as funds are available, with specific project costs to be approved as work as authorized, the proportionate cost of the airport development projects described above which are to be paid by the sponsor to the Secretary of the Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent balance after the project is completed is to be returned to the Sponsor by the Secretary; the Sponsor will make available any additional monies that may be found necessary, upon request of the Secretary, to complete the project as described above; the Secretary shall have the right to suspend or discontinue the project at any time additional monies are found to be necessary by the Secretary, and the Sponsor does not provide the same; and

WHEREAS, the Sponsor is required by law (sec. 114.32(5), Wis. Stats.) to designate the Secretary as its agent to accept, receive, receipt for and disburse any funds granted by the United States under the Federal Airport and Airway Improvement Act, and is authorized by law to designate the Secretary as its agent for other purposes.

“DESIGNATION OF SECRETARY OF TRANSPORTATION AS SPONSOR’S AGENT”

THEREFORE, BE IT RESOLVED, by the Sponsor that the Secretary is hereby designated as its agent and is requested to agree to act as such in matters relating to the airport development project described above, and is hereby authorized as its agent to make all arrangements for the development and final acceptance of the completed project whether by contract, agreement, force account or otherwise; and particularly, to accept, receive, receipt for and disburse federal monies or other monies, either public or private, for the acquisition, construction, improvement, maintenance and operation of the airport; and, to acquire property or interests in property by purchase, gift, lease, or eminent domain under Chapter 32 of the Wisconsin Statutes; and, to supervise the work of any engineer, appraiser, negotiator, contractor or other person employed by the Secretary; and, to execute any assurances or other documents required or requested by any agency of the federal government and to comply with all federal and state laws, rules, and regulations relating to airport development projects.

FURTHER, the Sponsor requests that the Secretary provide, per Section 114.33(8)(a) of the Wis. Stats., that the Sponsor may acquire the required land or interests in land that the Secretary shall find necessary to complete the aforesaid project.

“AIRPORT OWNER ASSURANCES”

AND BE IT FURTHER RESOLVED that the Sponsor agrees to maintain and operate the airport in accordance with certain conditions established in Chapter Trans 55, Wisconsin Administrative Code, or in accordance with Sponsor assurances enumerated in a Federal Grant Agreement.

AND BE IT FURTHER RESOLVED THAT THE _____ and _____
be authorized to sign and execute the Agency Agreement authorized by this Resolution.

RESOLUTION INTRODUCED BY: Planning, Development and Transportation Committee

Approved by: \s\ Nancy J. Nusbaum
County Executive

May 9, 2001
Date

CERTIFICATION

I, Darlene K. Marcelle, Clerk of the County of Brown, Wisconsin, do hereby certify that the foregoing is a correct copy of a Resolution introduced at a meeting of the Brown County Board of Supervisors on April 25, 2001, adopted by a majority vote, and recorded in the minutes of said meeting.

\s\ Darlene K. Marcelle
Clerk

May 14, 2001
Date

AGENCY AGREEMENT

DEPARTMENT OF TRANSPORTATION BUREAU OF AERONAUTICS Madison, Wisconsin

AN AGREEMENT DESIGNATING THE SECRETARY OF TRANSPORTATION AS ITS AGENT

WHEREAS, the County of Brown, Brown County, Wisconsin, hereinafter referred to as the Sponsor, desires to sponsor an airport development project to be constructed with federal aid and/or state aid, specifically, the Austin Straubel International Airport project to:

Passenger Boarding Bridges, Runway Weather Information System, Snow Removal Equipment, Airfield Perimeter Road Construction, Relocate Main Airport Entrance, Runway 18 Instrument Landing System (ILS), Pave Runway Shoulders, Rehabilitate Runway Edge Lighting System, and any necessary related work and,

WHEREAS, the Sponsor adopted a resolution on April 25, 2001, a copy of which is attached hereto and the prescribed terms and conditions of which are hereby fully incorporated into this agreement, designating the Secretary as its agent and requesting the Secretary to act as such as set forth in the resolution; and

WHEREAS, upon such request, the Secretary is authorized by law to act as agent for the Sponsor until financial closing of this project;

NOW THEREFORE, the Sponsor and the Secretary do mutually agree that the Secretary shall act as the Sponsor's agent in the matter of the airport development described above as provided by law and as set forth in the attached resolution; provided, however, that the Secretary is not required to provide legal services to the Sponsor.

IN WITNESS WHEREOF, the authorized representatives of the parties hereto have affixed their signatures and the seal of the parties.

WITNESS:

\s\ Sharon Rentmeester

Date: May 9, 2001

The County of Brown
Brown County, Wisconsin
Sponsor

By: \s\ Nancy J. Nusbaum
County Executive

Date: May 5, 2001

By: Secretary of Transportation

David M. Greene, Director
Bureau of Aeronautics

Date: _____

Approved by: \s\ Nancy J. Nusbaum, County Executive

Date: 5/9/2001

No. 10f -- RESOLUTION REGARDING HOUSEHOLD HAZARDOUS WASTE GRANT

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

REGARDING: HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

A RESOLUTION authorizing the submittal of a state grant application and subsequent appropriation of funds for a Household Hazardous Waste Collection Program for Brown County.

WHEREAS, Brown County recognizes the benefits of a program to control the disposal and storage of potentially hazardous household waste and will carry out all activities described in the State Grant Application; and

WHEREAS, the Greater Green Bay Area Chamber of Commerce as well as other local civic and environmental groups support such a program and encourage the County to get involved in such a program; and

WHEREAS, the County's Collection Programs are intended to offer education and assistance to citizens in the identification, proper handling and disposal of household hazardous waste through distribution of public information materials, presentations to citizens groups and a designated day for the collection and disposal of household hazardous waste; and

WHEREAS, in this and previous action the County Board has declared its intent to conduct annual Collection Programs subject to public response and the appropriation of funding; and,

WHEREAS, Brown County will allow employees from the Department of Natural Resources access to inspect the Collection Program site; and

WHEREAS, Brown County will maintain records documenting all expenditures made during the Collection Program; and

WHEREAS, Brown County will submit a final report to the Department describing all Collection Program activities, achievements and problems, comparing the actual program with the activities and objectives proposed in our application, including samples of our information-education brochures, data on participation rates, waste quantities collected, documentation of the project costs, and a section on recommendations.

THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors authorizes the Household Hazardous Waste Coordinator to submit a State Grant Application for the Household Hazardous Waste Grant Program with the intent of administering a Collection Program in Brown County in 2002.

HEREBY CERTIFY, that the foregoing resolution was duly and officially adopted by the Brown County Board of Supervisors on: April 25, 2001.

SIGNED: \s\ Keith R. Watermolen
Board Chairperson

\s\ Nancy J. Nusbaum
County Executive

PROGRAM SCOPE

The Brown County Household Hazardous Waste Facility is situated next to the Materials Recycling Facility (MRF) in the Village of Ashwaubenon on land owned by the Brown County Port and Solid Waste Department. The Facility is located in the geographic center of Brown County just south of the County's population center in Green Bay.

The HHW Coordinator handles all aspects of the HHW program. The Coordinator organizes and implements marketing strategies and education programs, supervises collection periods and manages day to day operations of the Facility. The Facility is operated by two full-time employees of the County. All waste handling is done on-site by the Facility's employees. This includes receiving material, screening, lab packing, bulking, tracking, labeling, manifesting and loading for transportation. Handling material ourselves allows us to maximize cost savings by employing recycle and reuse methods. Our hazardous waste contractor is responsible for transportation and disposal only.

The Facility has a written operations manual, which contains an Emergency Response and Contingency Plan. This plan has been reviewed by Facility personnel. It is posted in two different locations in the Facility. It is also on file in the Facility office and the MRF office. Local Fire and Police Departments are familiar with the Facility and have a copy of this plan at their disposal.

The Facility accepts all forms of HHW except ammunition, explosives, pharmaceuticals, tires, biological and infectious wastes, sharps and radioactive material. We accept material from Very Small Quantity Generators (VSQGs), but disposal costs are charged back to these businesses.

INFORMATION AND EDUCATION ACTIVITIES

Marketing of the Facility is done with the aid of local mass media. Press releases are issued in regards to various highlights of the collection program. The Facility is open twice a week all year. We work with local agencies to produce stories for their newsletters. We accommodate requests by local civic groups for tours or speaking engagements. We work one on one with the public whenever possible.

PROGRAM BUDGET

The annual budget to operate the facility is anticipated to be \$200,000 in 2002. Estimated program costs are similar to the current anticipated costs for 2001. Please see the 2001 HHW Operations and Maintenance Budget Summary for this information.

FORMAL RESOLUTION

The Formal Resolution contained in this grant application has been submitted to the Brown County Board. Brown County has been committed to the proper disposal of Household Hazardous Waste since its first Clean Sweep in 1989. The permanent Facility was opened in 1996 with the help of a DNR Clean Sweep Household Hazardous Waste Collection Grant. Brown County is committed to providing this service to its residents.

DEMONSTRATION OF COMMITMENT TO ANNUAL CLEAN SWEEP PROGRAM

The Facility is near the end of a five-year agreement between the Green Bay Metropolitan Sewerage District, Brown County Port and Solid Waste Department, Oneida Tribe of Indians and the cities, towns and villages of Brown County. This agreement guarantees funding of the Facility until the end of 2001. An automatic extension has been enacted which guarantees the Facility will be in operation for an additional 3 years. We have agreements with Winnebago County, Shawano County and Waupaca County to receive their Household Hazardous Wastes. Regionalizing the Facility commits Brown County to proper handling and disposing of Household Hazardous Waste for many years to come.

A key aspect of our program is the chance to talk one on one with our participants. This gives us a chance to educate our residents about their responsibilities and the dangers associated with these materials. We hand out the included Household Hazardous Waste Management Sheets and explain how to determine what materials can be handled safely at home and what should be brought to the Facility. We also have information available on recycling, composting, tires, batteries and mercury. We try to encourage people to use alternative products that are safer and less toxic products.

TIMETABLE

The Facility is open Thursday, noon – 8 p.m. and Saturdays, 8 a.m. – 2 p.m. These hours are maintained 52 weeks a year.

Our main marketing/advertising/educational push is early Spring. The idea is to get information to people when they need it, which seems to be just before Spring cleaning begins. We have had great success coordinating our educational push with Earth Day. We see an immediate increase in participation in mid-April and this carries into the summer months.

The final report will be completed after the 2nd quarter ends June 30, 2002. Complete collection data for the entire year will be estimated based on materials collected and participation data the first six months. Expenditures for the first six months of 2002 will exceed grant requirements.

Approved by: \s\ Nancy J. Nusbaum, County Executive

Date: 5/9/2001

No. 11 -- Such other matters as authorized by law. None.

No. 12 -- Bills over \$10,000 for periods ending April 2, 2001.

A motion was made by Supervisor Collins and seconded by Supervisor Kaye to pay the bills. Vote taken. Motion carried unanimously with no abstentions.

No. 13 -- Closing Roll Call.

Present: Antonneau, Bunker, Krueger, Hansen, Zima, Queoff, Vanden Plas, Collins, Clancy, Fleck, Watermolen, Schadewald, Schmitz, Schmitt, Haefs, Kaye, Bicoy, Johnson, Kuehn, Marquardt, Schillinger, Moynihan, Simons, Williquette

Total Present: 24

No. 14 -- ADJOURNMENT TO WEDNESDAY, MAY 16, 2001, AT 7:30 P.M., LEGISLATIVE ROOM, 100 N. JEFFERSON STREET, GREEN BAY, WISCONSIN.

A motion was made by Supervisor Bunker and seconded by Supervisor Johnson to adjourn to the above date and time. Vote taken. Motion carried unanimously with no abstentions.

DARLENE K. MARCELLE, Brown County Clerk